Supreme Court of the United States

OCTOBER TERM, 1963

No. 96

YVETTE M. WRIGHT, HORACIO L. QUINONES, DARWIN BOLDEN, BENNY CARTAGENA, RAMON DIAZ, JOSEPH R. ERAZO, BLORNEVA SELBY, WALSH McDERMOTT, SETH DUBIN, all individually and on behalf of all other persons similarly situated,

Plaintiffs-Appellants,

against

NELSON A. ROCKEFELLER, Governor of the State of New York, LOUIS J. LEFKOWITZ, Attorney General of the State of New York, CAROLINE K. SIMON, Secretary of State of the State of New York, and DENIS J. MAHON, JAMES M. POWER, JOHN R. CREWS and THOMAS MALLEE, Commissioners of Elections constituting the Board of Elections of the City of New York,

Defendants-Appellees,

and

ADAM CLAYTON POWELL, J. RAYMOND JONES, LLOYD E. DICKENS, HULAN E. JACK, MARK SOUTHALL and ANTONIO MENDEZ,

Defendants-Intervenors-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

MOTION TO DISMISS OR AFFIRM

LOUIS J. LEFKOWITZ
Attorney General of the State of New York
Attorney pro se and for Appellees
Rockefeller and Simon
80 Centre Street
New York 13, New York

IRVING GALT
Assistant Solicitor General

SHELDON RAAB
Deputy Assistant Attorney General
of Counsel.

249 Press of Fremont Payne, Inc., 80 Washington St., N. Y.—BOwling Green 9-8153

INDEX

CASES

STATUTES AND LEGISLATIVE MATERIAL

Supreme Court of the United States

OCTOBER TERM, 1962

No. 950

YVETTE M. WRIGHT, HORACIO L. QUINONES, DARWIN BOLDEN, BENNY CARTAGENA, RAMON DIAZ, JOSEPH R. ERAZO, BLORNEVA SELBY, WALSH McDERMOTT, SETH DUBIN, all individually and on behalf of all other persons similarly situated,

Plaintiffs-Appellants,

against

NELSON A. ROCKEFELLER, Governor of the State of New York, LOUIS J. LEFKOWITZ, Attorney General of the State of New York, CAROLINE K. SIMON, Secretary of State of the State of New York, and DENIS J. MAHON, JAMES M. POWER, JOHN R. CREWS and THOMAS MALLEE, Commissioners of Elections constituting the Board of Elections of the City of New York,

Defendants-Appellees,

and

ADAM CLAYTON POWELL, J. RAYMOND JONES, LLOYD E. DICKENS, HULAN E. JACK, MARK SOUTHALL and ANTONIO MENDEZ,

Defendants-Intervenors-Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

MOTION TO DISMISS OR AFFIRM

Appellees Governor, Attorney General and Secretary of State, pursuant to Rule 16 of the Revised Rules of the Su-

preme Court of the United States, move that the final judgment of the District Court be affirmed on the ground that the question is so unsubstantial as not to warrant futher argument, or, in the alternative, that this appeal be dismissed.

Statute Involved

Extracts from the challenged statute, Chapter 980 of the New York Laws of 1961, are set forth in Appendix B of appellants' jurisdictional statement. The statute in question, enacted on November 19, 1961, redistricted New York for the purpose of the 1962 Congressional elections. It was made necessary by the State's loss of two seats in the House of Representatives as a result of the 1960 decennial census. See 2 U.S.C. § 2(a).

Question Presented

Was the District Court required as a matter of law to find that New York's 17th Congressional district was "contrived" to exclude "non-white citizens and citizens of Puerto Rican origin", where the sole evidence supporting this charge is (1) that a smaller percentage of such citizens resided in the 17th district than in the other three congressional districts contained within New York County, (2) that the 17th district is the least populous of the four congressional districts in New York County, and (3) that the boundary of the 17th district does not consist of straight lines?

Statement of the Case

Appellants brought this action seeking a declaration that Chapter 980 of the New York State Laws of 1961 violates the Fourteenth and Fifteenth Amendments of the

Constitution of the United States and an order enjoining defendants from enforcing or executing that statute.* Appellants alleged that they are residents and voters in each of the four new congressional districts located in New York County (Complaint, par. 3). They claim that Chapter 980 "establishes irrational, discriminatory and unequal Congressional Districts in the County of New York and segregates eligible voters by race and place of origin"; that the 17th Congressional district was "contrived" to exclude "non-white citizens and citizens of Puerto Rican origin and . . . is over-represented in comparison to the other three districts in the County of New York"; and that "the 18th, 19th and 20th Congressional Districts have been drawn so as to include the overwhelming number of non-white citizens and citizens of Puerto Rican origin in the County of New York and to be underrepresented in relation to the 17th Congressional District" (par. 7). Finally, they charge that "the unconstitutional districting herein complained of has existed for many years" and that the Legislature "has redrawn the boundaries of such districts in accordance with shifts in nonwhite population and population of Puerto Rican origin so as to perpetuate and aggravate the irrational, discriminatory and unequal districts and the segregation of voters by race and place of origin in the County of New York" (par. 8).

On July 31, 1962, the District Court convened a statutory three-judge Court to consider appellants' claims. This Court heard evidence on August 9th, 15th and 28th, 1962.

---

* Another action challenging this same statute (*Honeywood* v. *Rockefeller*, 62 Civ. 423, E.D.N.Y., Jan. 18, 1963) is now on appeal to this Court from a unanimous decision dismissing the complaint. The *Honeywood* case was previously before this Court when it affirmed the District Court's denial of a preliminary injunction. 371 U. S. 1 (1962).

At the opening of the trial, six district leaders of the Democratic party, including Congressman Adam Clayton Powell, intervened in the action and aligned themselves with appellees, denying that the redistricting statute was the product of racial discrimination and urging that appellants, if successful, would actually dilute the strength of the Negro and Puerto Rican vote in New York County.

According to appellants' figures (Jurisd. Statement, p. 20), the four congressional districts which comprise New York County have a total population of 1,698,281, of whom 639,692 persons or 37.7% of the total, are non-whites or are of Puerto Rican origin. The 17th Congressional district contains 19,652 non-white persons and persons of Puerto Rican origin, or 5.1% of the total district population of 382,320. The 18th district contains 372,114 such persons, or 86.3% of the total district population of 431,330. The 19th district contains 126,952 non-whites and persons of Puerto Rican origin, or 28.5% of the total district population of 445,175. The 20th district contains 120,974 such persons, or 27.5% of the 439,456 persons who live in that district.

In addition to these figures, appellants showed (Transcript, pp. 142-48) that there would be other possible ways to divide New York County into Congressional districts which would tend to equalize the racial composition of each district. Appellants prepared three such hypothetical divisions which they contend were constructed "on a logical basis, using natural boundaries or well known streets and avenues" (Jurisd. Statement, p. 7). One of these, Plan "B", contained one district whose population was only 9.5% non-white or Puerto Rican and another district whose population was 59.1% non-white or Puerto Rican.

Under cross-examination, appellants' chief witness admitted that there were areas immediately adjacent to the 17th Congressional district which could have been included in that district to increase its total population without

altering the percentage of non-whites or Puerto Ricans residing there (Transcript, pp. 165-67).

Appellees Rockefeller, Lefkowitz and Simon offered no oral testimony, but rather presented documentary evidence to show that the boundary lines were not motivated by a discriminatory design. (Appellants' statement [Jurisd. Statement, p. 7] that appellees offered no evidence is clearly in error.) Highlighting appellees' evidence were (1) a certificate by the Bureau of the Census showing the composition of the old and new 17th districts, from which it clearly appeared that the new district created by the redistricting statute here challenged actually contains more non-whites and persons of Puerto Rican origin than did the old district (Exh. A), and (2) a series of maps of New York County Congressional districts tracing the gradual development of the present district lines through every redistricting statute since 1911 (Exhs. C through H).

Opinions Below

On November 26, 1962, the three-judge District Court dismissed the complaint. Each of the three judges wrote separate opinions.

Judge Moore pointed out that appellants offered no proof "that the specific boundaries created by Chapter 980 were drawn on racial lines or that the Legislature was motivated by considerations of race, creed or country of origin in creating the districts" (Jurisd. Statement, p. 4a). He noted that the redistricting was necessary due to the reduction in New York's congressional delegation from 43 to 41 representatives (p. 4a) and that New York County's proportional share of the state's total representation was four seats (p. 8a). New York's legislature adheres to the recommendation of the American Academy of Political Science that congressional district lines be based on an ideal of substantial equality of population, with

a maximum variation of 15% from average population per district (p. 7a). In light of this, Judge MOORE noted that the 17th district is less than 7% below the average population in the state and that appellants' reference to this district as "over-represented" is inaccurate (p. 9a).

Since there could be no legitimate claim that the districts were disparate in population, Judge MOORE concluded that appellants actually support a "racial percentage theory" (p. 11a)—claiming that the Constitution requires New York to divide its congressional districts so as to include the same ethnic ratios in each of the four districts in New York County—while the intervenors claimed that the adoption of such a theory would itself be violative of the Constitution. Noting that the Legislature redistricted New York County preserving the general pattern of past districting acts, and that there was no proof of any previous history of racial discrimination (pp. 15a, 16a) and pointing out that it is not unusual to find persons of the same race or place of origin settling together within a large city (p. 17a), Judge MOORE held that "to create districts based upon equal proportions of the various races inhabiting metropolitan areas would indeed be to indulge in practice verging upon the unconstitutional" (p. 17a) and voted to dismiss the complaint.

It should be noted that appellants have misconstrued Judge MOORE's opinion, attributing many theories to him which are not at all adopted by the opinion—in an effort to show why the District Court's finding of fact poses a substantial question worthy of review by the Court. First, they state (pp. 8, 13) that he "took the position that racially segregated voting districts are constitutional." This is completely inaccurate; in fact, Judge MOORE points out specifically that the question of discrimination "might well be raised" if the Legislature arbitrarily assigned population to districts on the basis of race (p. 16a). His opinion, of course, merely holds

that appellants failed to prove this. Second, they state that Judge MOORE held that segregated districts were constitutional if they benefit a particular minority and enable it to obtain representation (pp. 8, 13). This, too, is inaccurate. He merely pointed out (p. 17a) that it is not necessarily disadvantageous for a minority to be concentrated in several districts, and that it might be unconstitutional, therefore, to adopt appelants' theory that the Legislature should disregard neighborhood lines in order to disperse minority groups over a wide range of districts.

Judge FEINBERG concurred in the order dismissing the complaint on the ground that appellants did not meet their burden of proof (p. 17a). He stated that segregated districts would be unconstitutional (p. 18a), but held that inferences other than racial segregation "are equally or more justifiable" (p. 20a) from the evidence submitted by appellants and, therefore, that appellants had not sustained their burden of proof. First, Judge FEINBERG pointed out that the Legislature, in eliminating two districts from New York County to correspond with the census results, "had moved the lines in a rational manner", resulting in "straighter and apparently more logical congressional lines than before" (p. 21a). Nor did he find any proof that the lines were drawn in past years for discriminatory purposes (p. 22a). Second, Judge FEINBERG rejected appellants' contention that the 17th district was kept small in population so as to avoid incorporating a higher percentage of non-white or Puerto Ricans, noting that "a variation of only 7 per cent from average does not . . . justify a finding of racial discrimination" (p. 22a). Third, he disagreed with appellants' argument that the only available inference from the ethnic composition of the districts is one of a discriminatory legislative intent. The obvious inference, as he pointed out, is that non-whites and Puerto Ricans live in certain concentrated areas; indeed, under one of appellants' suggested plans, one district would have 9.5% non-white and Puerto Rican

population, while another would have 59.1% non-white and Puerto Rican (pp. 23a-24a). Failing proof of "failure to build upon prior lines in a rational, logical manner, a greater population disparity and an increase in boundary zig-zagging" (p. 24a), Judge FEINBERG held that appellants had not proved their case.

Judge MURPHY dissented, believing that this Court's decision in *Hernandez* v. *Texas*, 347 U. S. 475 (1954), required him to find that appellants proved a *prima facie* case even though he found "a total absence of direct proof of any specific intent by the New York Legislature" (p. 25a) and did not believe that mere showing of population disparity and non-straight boundary lines (p. 26a) would show such an intent. To him, the population figures alone amounted "to a mathematical demonstration that the legislation was solely concerned with segregating white, colored and Puerto Rican voters by fencing colored and Puerto Rican citizens out of the 17th District and into a district of their own (the 18th)" (p. 28a). He favored giving judgment for appellants declaring that the challenged portion of Chapter 980 is unconstitutional.

Argument

Appellants have sought to turn a purely factual determination—and a clearly correct one, at that—into a potpourri of legal problems that need to be resolved by this Court. They have misread the opinions below to create the impression that these opinions in some way uphold segregation and violations of Constitutional rights. In an effort to obtain review here, they have erected a legal theory—rejected by all three members of the District Court—which would itself trample on the Constitutional rights of minority groups. And, finally, they have taken the untenable position that it is the function of this Court to review *de novo* the findings of fact below.

We shall show that the findings below were clearly correct, and that the decision below in no way rests on any question even remotely deserving review here.

(A)

Since this appeal involves solely questions of fact, it is necessary at the outset to clear up two points advanced by appellants with respect to the scope of review on appeal and their burden of proof below. Perhaps in recognition of the insubstantiality of the questions they raise, appellants skillfully have rewoven the well-established principles which surround both these areas.

First, appellants argue (p. 10) that the finding of fact below—that the Legislature did not intend to segregate voters by race or origin—should be reviewed *de novo* here because the findings of fact and conclusions of law have been "intermingled". They cite two cases that came up from the state courts in support of this proposition, completely ignoring the fact that *de novo* review is restricted to the rare situations where state courts deny constitutional rights under the guise of fact-finding. See ROBERTSON & KIRKHAM, JURISDICTION OF THE SUPREME COURT OF THE UNITED STATES, p. 200 (2d ed. Wolfson & Kurland 1951). In any event, there is no "intermingling"; the entire decision, in fact, revolves about the issue of whether appellants have sustained their burden of proof. The scope of review here is obviously covered by the "clearly erroneous" test contained in Fed. R. Civ. P. 52(a). That standard, far from being inapplicable to direct appeals to this Court, as appellants suggest (p. 10), is especially pertinent here to relieve the Court of an undue burden on its resources. Cf. ROBERTSON & KIRKHAM, *supra*, at § 197.

Appellants also maintain (pp. 15-16) that the burden of proof immediately shifts upon a mere demonstration of the "effect" of the redistricting statute—that is, that

state officials have the burden of justifying any redistricting in which each district does not contain the same ethnic composition as every other district. As authority for their unique contention that the burden of proof shifts to us, appellants cite *Hernandez* v. *Texas*, 347 U. S. 475 (1954); *Norris* v. *Alabama*, 294 U. S. 587 (1935); and *Neal* v. *Delaware*, 103 U. S. 370 (1880). These cases are totally inapposite; they state the obvious proposition that the trier of fact can infer that there has been racial discrimination in selection of jury panels where members of a particular race, some of whom were shown to be qualified for jury service, were not called for jury service but consistently ignored over the course of several decades. Appellants' bizarre theory proves too much; under it, they would likewise succeed in making a *prima facie* case on the barest statistical showing in virtually every large city in the union. Surely there is no reason to suspect unconstitutionality from a commonplace. And commonplace statistics are all that were proved, as Judge FEINBERG's opinion points out in great detail. (As for appellants' cryptic statement that the state should bear the burden of rebutting legislative motive because it is in the "best position" to do so. [pp. 15-16], it is neither elaborated by them nor comprehended by us.)

Furthermore, appellants' conception of their greatly diminished burden of proof is really nothing more than a carbon copy of their theory that "effect" alone—not purpose—is the sole issue in this case (pp. 11, 14-15). It is to this contention—frivolous in the extreme—that we now turn.

(B)

As appellants themselves point out (p. 14), none of the three judges below accepted their theory that the "effect" of segregation—presumably anything less than substantial equality of ethnic composition among the districts—is sufficient to invalidate the redistricting statute. This theory, designed to mask their utter failure to prove their

reckless charges of legislative venality, is not only frivolous—if adopted, it would destroy the rights of minorities to equal treatment.

It is appellants, not the Court, who have adopted the theory of the "benign quota" (p. 13). It is they who would require the Legislature to single out minority groups and disperse them in equal numbers among the various Congressional districts. And—as intervenors-appellees' position dramatically illustrates—it is highly debatable whether appellants' proposed theory can be classified even as "benign". Unlike the familiar school segregation cases where "the central constitutional fact is the inadequacy of segregated education", *Branche* v. *Board of Education*, 204 F. Supp. 150, 153 (E.D.N.Y. 1962), no good can flow from the proposed theory; it is pure conjecture whether the minority will be helped or harmed if its strength is divided among all the districts in the county. Indeed, appellants' thesis might well be criticized as a deliberate attempt to dilute the voting power of minority groups. In any event, it can hardly be claimed that the State acts unconstitutionally when it refuses to follow so tenuous a theory.

(C)

There remains for discussion the sole issue which really determines this case—whether or not appellants sustained their burden of proof. We maintain—and the District Court found—that they failed to do so.

In their complaint, appellants rely upon three different avenues of proof to bolster their claim that the redistricting act is a device for racial and ethnic segregation. First, they rely upon the fact that the 17th Congressional district contains fewer non-whites and persons of Puerto Rican origin than the other three Districts in New York County. Second, they attempt to show that "the Legislature, in its effort to maintain the white, non-Puerto Rican character of the Seventeenth Congressional District,"

(par. 8) constituted it with a smaller population than the other three districts. Third, they allege that the Legislature "has redrawn the boundaries of such districts in accordance with shifts in non-white population and population of Puerto Rican origin so as to perpetuate and aggravate . . . the segregation." *Ibid.*

Proof was solely lacking on all three points; we shall discuss each of them briefly.

1. *Ethnic composition.* The first avenue of approach was an elaborate attempt to show that fewer non-whites and persons of Puerto Rican origin resided in the Seventeenth Congressional district than in the other three districts. That fact is hardly startling; and it proves nothing. Unless appellants seriously press the contention that the Legislature must draw district lines so as to incorporate the same ethnic makeup in each district, the mere fact that the ethnic compositions of the districts vary is hardly the basis for a law suit. Appellants also attempted to show—by the most conjectural sort of proof—that district lines could be drawn which would somewhat close the disparity in ethnic composition that exists among the present New York County Congressional districts. Yet, they failed to show that the lines that they suggest rest upon any rational basis and, more important, that the lines which the New York Legislature drew rest upon no rational basis. Moreover, even these "hypothetical" districtings could not avoid the wide disparities which are created by the different compositions of different neighborhoods (Transcript, pp. 142-48). There are, obviously, a great many factors which a legislature takes and ought to take into account in drawing district lines. The economics of a neighborhood, its traditions, transportation, natural boundaries, the interplay of business and residential districts, the preservation of well-established district lines, and many other factors must be taken into account in any successful single-member district system. Appellants' burden

is to show that the redistricting statute "does not rest upon any reasonable basis, but is essentially arbitrary". *Morey* v. *Doud*, 354 U. S. 457, 464 (1957). See *Metropolitan Casualty Inc. Co.* v. *Brownell*, 294 U. S. 580, 584 (1935). But they presented not a shred of evidence to show that the New York Legislature did not follow these well-established rational criteria.

Nor does appellant's attempted reliance on *Gomillion* v. *Lightfoot*, 364 U. S. 339 (1960), bolster their cause. *Gomillion* involved an attempt to alter the boundaries of a city in such a way as to remove all save four or five of its 400 Negro voters while not removing a single white voter or resident, thus depriving these voters of the benefits of residence in that city, including the right to vote in municipal elections. This, the Court noted, "was not an ordinary geographic redistricting measure even within familiar abuses of gerrymandering" (364 U. S. at 341)—language borrowed by appellants in the instant case—and the Court went on to state that the allegations (taken as true, since *Gomillion* came up on a motion to dismiss) were "tantamount for all practical purposes to a mathematical demonstration that the legislation is solely concerned with segregating white and colored voters . . ." And, against the claim, the city authroities were unable to suggest any legitimate function for the redrawing of the municipal boundaries.

In this case we have the very opposite of the *Gomillion* situation. The justification for the redistricting is clear; New York lost two Congressional seats as a result of the 1960 census. The mathematics of the redistricting is not at all startling; in fact, as we have already pointed out, a large number of non-whites and persons of Puerto Rican origin were added to the 17th District and many white non-Puerto Rican areas are adjacent to the District but not included in it. Most important, appellants suggest no reason why anyone would prefer to exclude these voters from the 17th District only to include them in an adjoining

District. This is a far cry from the *Gomillion* situation, where the City authorities, by excluding Negro voters from the boundaries of Tuskegee, were able to disenfranchise them in municipal elections and deprive them of municipal services. In fact, it is impossible to make out any claim of disenfranchisement at all on the facts of the instant case.

Appellants' reliance on the lack of straight-line boundaries of the 17th District (p. 5) is similarly misplaced. As Judge FEINBERG pointed out (p. 21a), the redistricting actually straightened the district lines. Their ludicrous additional claim that the 17th District "was carved out of the center" of Manhattan Island (p. 5) is rebutted merely by looking at the maps contained in Appendix C to the Jurisdictional Statement. And appellants' final excursion into the neat world of straight lines—their contention that the area west of Stuyvesant Town was omitted in order to keep the 17th district composed of white non-Puerto Rican voters—is rebutted conclusively by the record. That area (Transcript, pp. 165-66) is overwhelmingly composed of such voters, and anyone seeking to increase their majority in the 17th district would have been delighted to include the area in the district.

2. *The Claim of "Over-Representation".* The second avenue upon which appellants relied to establish an invidious legislative motive is their claim that the legislature constituted the 17th district with a smaller population than the other Congressional districts in New York County so that it would have the least possible number of nonwhites and citizens of Puerto Rican origin. The claim of "over-representation" is frivolous in the extreme. The New York State Legislature, despite the absence of a Congressional standard (*Wood* v. *Broom*, 287 U. S. 1 [1932]), has adhered voluntarily to a maximum variation of 15% from average population per district, the variation recommended by the American Political Science Association and endorsed by former President Truman. N. Y.

Legislative Document No. 45 (1961); Hearings, Standards for Congressional Districts, H.R. Comm. on the Judiciary Sub-Comm. No. 2, 86th Cong. 1st Sess., pages 26, 29 (Serial No. 10, June 24 and Aug. 19, 1959). The four Congressional districts in New York County show an even smaller variation. The average population per district throughout the State is 409,326; the allegedly "over-represented" 17th District has 382,320 inhabitants—a variation of less than 7% from the average. The most heavily populated of the other districts, the 19th District, has 445,175 inhabitants—a variation of about 9% from average. The most stringent Congressional standard that has been proposed is a maximum 10% deviation from average; even this has been attacked by the most ardent advocates of population equality as being too stringent. *Hearings, supra,* page 20. Thus, the slight disparities in population among the New York County districts would pass muster under the sternest proposals yet made for Congressional action.

Moreover, there is no relation between the size of the 17th district and the charge of segregation. There are in fact large areas immediately adjacent to the new 17th Congressional District but not included within it with an extremely small percentage of non-whites and persons of Puerto Rican origin (Transcript, pp. 152-54, 165-67, 176-77). Indeed, there could be no more convincing proof that criteria other than race determine the shape of the New York County Congressional districts.

3. *Redrawing of Boundaries.* In a prime example of the recklessness which characterized their complaint, appellants alleged (par. 8) that the legislature "has redrawn the boundaries of [the] districts in accordance with shifts in non-white population and population of Puerto Rican origin." There is not one iota of evidence in the record to support this charge. In fact, as both Judge MOORE and Judge FEINBERG pointed out, the district lines were changed very little from the old lines, except for those

changes which obviously were made necessary by the loss of two Congressional seats in New York County. Indeed, the one change in the northern boundary of the 17th District—touching the most heavy concentration of non-whites and persons of Puerto Rican origin in New York County—was in the area which is completely occupied by a hospital (Transcript, pp. 149-50).

Appellants' three avenues of approach upon analysis prove to be three dead-end streets. They have succeeded in proving nothing at all.

CONCLUSION

This appeal presents no substantial question. The United State District Court correctly determined that appellants failed to prove the allegations of their complaint. Therefore, the judgment should be affirmed or the appeal dismissed.

Dated: New York, N. Y.,
April 22, 1962.

Respectfully submitted,

LOUIS J. LEFKOWITZ
Attorney General of the
State of New York
Attorney pro se and for
Defendants-Appellees
Rockefeller and Simon
80 Centre Street
New York 13, New York

Irving Galt

IRVING GALT
Assistant Solicitor General

SHELDON RAAB
Deputy Assistant Attorney General,
of Counsel